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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

TAYLOR M. DIGGS, an individual,

|Case No.: 2:18-cv-2114

Plaintiff,

VS.

FEDEX OFFICE AND PRINT SERVICES,
INC., a foreign corporation; DOE
INDIVIDUALS 1 through 10, inclusive; ROE
CORPORATIONS 11 through 20; and ABC
LIMITED LIABILITY COMPANIES 21
through 30, inclusive.

**Stipulation and Order to Amend
Complaint**

Defendants.

FedEx Office and Print Services, Inc. removed this matter on November 2, 2018 and moved to dismiss cause of action three. The parties stipulate that Plaintiff may file an amended complaint that eliminates this cause of action, instead incorporating it within the first cause of action. The result is the amended complaint will have two causes of action. Plaintiff will not be required to re-serve the amended complaint.

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1 Further, as a result of this stipulation, FedEx Office's motion to dismiss (ECF No. 3) is moot.

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| 2 DATED this 7 th day of November, 2018 | 3 DATED this 7 th day of November, 2018 |
| 4 WILSON ELSER MOSKOWITZ 5 EDELMAN & DICKER LLP | NETTLES LAW FIRM |
| 6 _____ 7 /s/ <i>Michael P. Lowry</i> 8 Michael P. Lowry, Esq. Nevada Bar No. 10666 300 South Fourth Street, 11 th Floor Las Vegas, Nevada 89101-6014 Tel: 702.727.1400/Fax: 702.727.1401 Attorneys for FedEx Office and Print Services, Inc. | _____ 9 /s/ <i>Jennifer A. Peterson</i> 10 Brian D. Nettles, Esq. Nevada Bar No. 7462 11 Jennifer A. Peterson, Esq. Nevada Bar No. 11242 12 1389 Galleria Drive, Suite 200 Henderson, Nevada 89014 13 Attorneys for Taylor M. Diggs |

14 IT IS SO ORDERED.

15 
16 UNITED STATES MAGISTRATE JUDGE

17 DATE: November 8, 2018

18 **CERTIFICATE OF SERVICE**

19 Pursuant to FRCP 5, I certify that I am an employee of Wilson Elser Moskowitz Edelman &
20 Dicker LLP, and that on November 7, 2018, I served **Stipulation and Order to Amend Complaint**
21 via electronic means by operation of the Court's electronic filing system, upon each party in this case
22 who is registered as an electronic case filing user with the Clerk;

23 BY: /s/ Michael P. Lowry

24 An Employee of WILSON ELSER MOSKOWITZ
25 EDELMAN & DICKER LLP